

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NABILA UDDIN,

Plaintiff,

-v.-

ROCK ARCH & ENG CORP. *a/k/a*
Rock Architecture P.C., MUHAMMED
'MARCO' MAHAYSIN, *individually*,
RAMI TAHA, *individually*, and LCS
RESTORATION CORP *a/k/a* LCS
Restoration Group, LLC.

Defendants.

21 Civ. 10900 (KPF)

ORDER

KATHERINE POLK FAILLA, District Judge:

The Court is in receipt of the parties' stipulation of voluntary dismissal of Plaintiff's federal claims and proposed order remanding the case to New York State Supreme Court, County of Queens, for resolution of the remaining state law claims. (Dkt. #32). Having reviewed that stipulation and good cause appearing, the Court orders as follows:

1. The Parties' stipulation is approved;
2. Plaintiff's federal causes of action arising under Title VII are dismissed with prejudice and all parties shall bear their own attorney's fees and costs in connection with Plaintiff's dismissed Title VII claims; and
3. Having found that the Court no longer has original jurisdiction over this matter, and given the early stage of this litigation, the Court declines to exercise supplemental jurisdiction over Plaintiff's remaining causes of action arising under New York State and City

Law, and remands the case to New York State Supreme Court, County of Queens. *See* 28 U.S.C. § 1337(c)(3) ([t]he district courts may decline to exercise supplemental jurisdiction ... if ... (3) the district court has dismissed all claims over which it has original jurisdiction"); *cf. Valencia ex rel. Franco v. Lee*, 316 F.3d 299, 306, 308 (2d Cir. 2003) (finding that the district court's exercise of supplemental jurisdiction over state law claims where federal claims had been dismissed at an early stage of the litigation was an abuse of discretion) (collecting cases).

The Clerk of Court is directed to remand the case to New York State Supreme Court, Queens County.

SO ORDERED.

Dated: January 5, 2023
New York, New York



KATHERINE POLK FAILLA
United States District Judge